

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDRES GOMEZ,
Plaintiff,

v.

KIEU HOANG WINERY, LLC,
Defendant.

Case No. [21-cv-09471-SI](#)

**ORDER TO SHOW CAUSE WHY
ACTION SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE**

On December 8, 2021, plaintiff filed the above action. Dkt. No. 1 (Complaint). On March 28, 2022, plaintiff filed an administrative motion requesting an extension of time to serve defendant and stating plaintiff had 90 days from the complaint's filing to do so. Dkt. No. 13. On April 5, 2022, the Court entered an order to show cause as to why the case should not be dismissed for two reasons: (1) first, for failure to timely serve the defendant – noting plaintiff only had 60 days from the filing of the complaint to do so, not 90, and (2) second, inquiring as to whether plaintiff adequately plead subject matter jurisdiction. Dkt. No. 15. On April 8, 2022, plaintiff filed a response that satisfied the Court's concerns. Dkt. No. 17. On May 3, 2022, the Court GRANTED plaintiff's motion for administrative relief. Dkt. No. 19.

Since entry of the Court's May 3, 2022 order, nothing else has been filed in the matter. There have been no responsive pleadings; plaintiff failed to file his initial Case Management Conference statement when due, or at all; and the Court found it necessary to cancel the initial case management conference. The Court hereby therefore ORDERS plaintiff to SHOW CAUSE why this action should not be dismissed for failure to prosecute. Plaintiff shall file a response in writing on or before

Monday, June 20, 2022. Failure to do so will result in the action's dismissal WITH PREJUDICE.

IT IS SO ORDERED.

Dated: June 14, 2022

A handwritten signature in black ink, reading "Susan Illston". The signature is written in a cursive, flowing style. The first name "Susan" is written in a larger, more prominent script, and the last name "Illston" follows in a similar but slightly smaller script. The signature is positioned above a horizontal line.

SUSAN ILLSTON
United States District Judge